THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.25691 of 2005

December 08, 2005

Between:

V.Jeeva Reddy, S/o.V.Neelam Reddy

…Petitioner

And

1. Gram Panchayat, Mucherla, Gambiraopet Mandal

Karimnagar District represented by its Secretary
and others

…Respondents

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WRIT PETITION No.25691 of 2005

ORDER:

The petitioner is a resident of Mucherla village of Gambhiraopet Mandal in Karimnagar District. He claims to be the owner of land admeasuring Acs.0.08 gts., in survey No.167/AA, which devolved on him in a family partition. According to the petitioner, the existing Zilla Parishad Upper Primary School, which is upgraded as High School recently, has no proper accommodation and therefore, the respondents got the funds under M.P.Local Area Development Scheme for expansion of the school building. It is alleged that such construction is being taken up in survey No.167/AA without due process of law. Hence the petitioner seeks declaration and a direction to the respondents not to construct the school building in the petitioner's land.

The matter was listed before this Court on 02.12.2005 and was adjourned at the request of the learned Standing Counsel for Gram Panchayat for getting instructions

in the matter. Today, the learned Standing Counsel submits that on 20.10.2005 the District Collector sent a sum of Rs.8,00,000/- for the construction of school building and the construction is taken up in the land belonging to the Government, which is in possession of the Panchayat Raj. He also denies that the construction is being made in the petitioner's land and further submits that if any construction is made in the petitioner's land, the same will be acquired in accordance with law.

In view of the submission made by the learned Standing Counsel, this Court holds that the writ petition is filed on incorrect allegations and therefore, no relief can be granted. The submission made by the learned Standing Counsel as above is recorded.

The Writ Petition is accordingly dismissed. No costs.

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(**V.V.S.RAO, J**)

December 08, 2005

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